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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Terre Des Hommes Federation Internationale, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 May 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Human rights of migrant children

Recent years have seen a record number of people on the move, whether internally of across borders. A recent study shows that 38 million people have been displaced within their own country by conflicts or violence, these are the worst figures for forced displacement in a generation. [1] Regarding the Mediterranean area, a record number of 219'000 people crossed the sea in 2014 in smugglers' boat and 3'500 are reported to have died. Around half of them were refugees fleeing war and persecution, many of them were children, pregnant women and young people. In 2014, among the total number of undocumented migrants who arrived in Europe, 15% were children and 25% of the total number of asylum applications in Europe has been filed by children.[2] So far in 2015, some 62'500 people have crossed the Mediterranean and at least 1'800 have died. [3] According to an official projection from the Italian Government, 5000 migrants per week will disembark on the sole costs of Sicily until September 2015.

Behind these global figures there are personal stories, tragedies but also people moving in search for a decent life and migrants who have the potential to bring to their destination the richness of their culture and motivation.

Since the "Lampedusa tragedy" in 2013, Terre des Hommes has been reiterating that migrant tragedies in the Mediterranean Sea are not "an emergency", but will continue to occur on a regular basis as a result of conflicts, insecurity and of an inadequate security-based European migration policy. Through its intervention in Sicily, Terre des Hommes continues to promote a resourced, coordinated, rapid and dignified resettlement system of children and youth across Europe. However, another major worry today is the increasing number of children and youth escaping from their first temporary reception centres in South Italy. They escape to reach another European destination, but also because they simply do not get access to their right to asylum in the country where they want to stay for their future life, and they do not receive the adequate care they need once they arrive.

Despite the seriousness of the situation, the EU is taking time in formulating its policy solutions. The new European Agenda on Migration will be submitted to the next European Council in June. Terre des Hommes hopes that the final text will contain important, progress on crucial measures. Terre des Hommes expects to see as a minimum, measures aiming at opening of legal channels for migrants to enter Europe safely and restart serious operations to save lives at Sea. Terre des Hommes follows closely also the discussions on a binding system of quotas for migrants throughout the EU 28 (also better known as a "burden sharing" system). It calls on again to European Heads of States and Governments to recognise that it is a European responsibility, and not the sole duty of external border countries like Italy, nor the one of few countries like Germany or Sweden that already host higher proportion of migrants than other countries in Europe. It also considers that the proposed system of "binding burden sharing" proposed by the European Commission cannot be coherently applied without the overcoming and revision of the current Dublin Asylum system. As far as the EU keeps on applying Dublin, the burden of asylum applications procedures will stay with the frontline countries whereas this must also be implemented by all European countries whatever the first arrival country is.

Furthermore, as a child rights organisation, Terre des Hommes demands for a specific set of measures tackling the vulnerability of children and youth, as they represent an important part of survivors arriving at European borders and applying for asylum in Europe in general. Terre des Hommes calls for an adapted and child-focused EU migration and mobility policy, including protection measures from the very first arrival of the child until a long-term solution, based on the best interests of the child, is found. Increased measures of child protection in countries of origin should also be supported as integral part of this strategy. Moreover, though the EU Agenda on Migration will focus mainly on international cross-border migration towards Europe, Terre des Hommes continues to call for enhanced protection of European children on the move within the EU as they are also often at risk of exclusion and exploitation.

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[1] Source : International Displacement Monitoring Centre
[2] Source : Frontex
[3] Source : UNHCR

In this regard, Terre des Hommes strongly welcomes and subscribes to the recent positions taken by the Special Rapporteur on the Human Rights of Migrants including on the new European Agenda on Migration. Human Rights protection should be at the core of any policy on migration management, within EU and outside it.

Linking Migration and Development

Terre des Hommes considers that a new EU Agenda on Migration cannot be limited to responding to migration "crises" or to a strict security and border control logic. The EU must address the root causes of such migration, war, violence, human rights violations and permanent instability in Africa and Middle East. The EU must review both its Neighbourhood policy (process ongoing) but also its Development Cooperation Agenda towards more investment in inclusive development, decent work, social protection and human rights in countries of origin of migrants. In brief, the EU must move from a pure security and border control logic towards a long term strategy for sustainable local development and poverty eradication, and better link its Development and Migration Agenda.

Protecting children on the move

For the respect of the rights of children on the move, Terre des Hommes and partners are running the ***Destination Unknown*** **Campaign** launched in 2012. [4] The Destination Unknown Campaign runs 135 projects in 50 countries addressing the rights of 280'000 children on the move. It raises awareness about violations of the rights of children on the move – including unaccompanied minors - who are fleeing war, poverty and violence. The Campaign also advocates for adequate policy changes enabling effective protection measures and to provide concrete solutions for these children who left their home, particularly those vulnerable to abuse, violence, exploitation and discrimination. The Campaign is rooted in ten demands to states and other relevant actors, including that children on the move are entitled to protection based on their best interests in accordance with the Convention on the Rights of the Child, independently of their migration status, gender, age, health, nationality, religious or cultural belongings or any other ground. Terre des Hommes and the Destination Unknown Campaign ensure coherence in the demands as member of the Inter Agency Group on Children on the Move, the Inter Agency Group to End Child Immigration Detention and a number of global, regional and national coordination mechanisms.

With the recent tragic surge in the number of deaths at sea of migrants attempting to reach Europe, public attention is being focused on the treatment of these people across the Mediterranean. Such tragedies are happening in Europe as in other regions but this is no excuse for Europe not living to its values enshrined in the constitutions of European states and to their commitment towards the rights of children; of all children.

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[4] The Destination Unknown Campaign is run by 40 organisations in the Middle East, Africa, Asia, Latin America and Europe. The European members of the Campaign are the Center for Youth Integration-Serbia (http://www.cim.org.rs/?lang=en); KOPIN-Malta (http://www.kopin.org/); ARSIS-Greece (http://arsis.gr/); Service droit des jeunes-Belgium (http://www.sdj.be/); Service Social International-Switzerland (http://www.ssiss.ch/fr/la_fondation_suisse_du_ssi_0); Hope for Children-Cyprus (http://www.uncrcpc.org/) and Terre des Hommes working in 16 European countries (www.terredeshommes.org).
For further information : www.destination-unknown.org